

VOINOVICH) was added as a cosponsor of S. 2291, a bill to enhance citizen access to Government information and services by establishing plain language as the standard style of Government documents issued to the public, and for other purposes.

S. 2314

At the request of Mr. SALAZAR, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2314, a bill to amend the Internal Revenue Code of 1986 to make geothermal heat pump systems eligible for the energy credit and the residential energy efficient property credit, and for other purposes.

S. 2369

At the request of Mr. BAUCUS, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. 2369, a bill to amend title 35, United States Code, to provide that certain tax planning inventions are not patentable, and for other purposes.

S. 2420

At the request of Mr. SCHUMER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2420, a bill to encourage the donation of excess food to nonprofit organizations that provide assistance to food-insecure people in the United States in contracts entered into by executive agencies for the provision, service, or sale of food.

S. 2433

At the request of Mr. HAGEL, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 2433, a bill to require the President to develop and implement a comprehensive strategy to further the United States foreign policy objective of promoting the reduction of global poverty, the elimination of extreme global poverty, and the achievement of the Millennium Development Goal of reducing by one-half the proportion of people worldwide, between 1990 and 2015, who live on less than \$1 per day.

S. 2452

At the request of Mr. DODD, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 2452, a bill to amend the Truth in Lending Act to provide protection to consumers with respect to certain high-cost loans, and for other purposes.

S. 2533

At the request of Mr. KENNEDY, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 2533, a bill to enact a safe, fair, and responsible state secrets privilege Act.

S. 2609

At the request of Mr. FEINGOLD, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 2609, a bill to establish a Global Service Fellowship Program, and for other purposes.

S. 2632

At the request of Mr. BOND, the names of the Senator from Nevada (Mr.

ENSIGN) and the Senator from Arizona (Mr. KYL) were added as cosponsors of S. 2632, a bill to ensure that the Sex Offender Registration and Notification Act is applied retroactively.

S. 2666

At the request of Ms. CANTWELL, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2666, a bill to amend the Internal Revenue Code of 1986 to encourage investment in affordable housing, and for other purposes.

S. 2684

At the request of Mr. DODD, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2684, a bill to reform the housing choice voucher program under section 8 of the United States Housing Act of 1937.

S. 2688

At the request of Mr. INUYE, the names of the Senator from Florida (Mr. NELSON) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 2688, a bill to improve the protections afforded under Federal law to consumers from contaminated seafood by directing the Secretary of Commerce to establish a program, in coordination with other appropriate Federal agencies, to strengthen activities for ensuring that seafood sold or offered for sale to the public in or affecting interstate commerce is fit for human consumption.

S. 2705

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 2705, a bill to authorize programs to increase the number of nurses within the Armed Forces through assistance for service as nurse faculty or education as nurses, and for other purposes.

S. 2712

At the request of Mr. DEMINT, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 2712, a bill to require the Secretary of Homeland Security to complete at least 700 miles of reinforced fencing along the Southwest border by December 31, 2010, and for other purposes.

S. 2716

At the request of Mr. DOMENICI, the names of the Senator from Oklahoma (Mr. COBURN) and the Senator from Pennsylvania (Mr. SPECTER) were added as cosponsors of S. 2716, a bill to authorize the National Guard to provide support for the border control activities of the United States Customs and Border Protection of the Department of Homeland Security, and for other purposes.

S. 2718

At the request of Mr. BARRASSO, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 2718, a bill to withhold 10 percent of the Federal funding apportioned for highway construction and maintenance from States that issue

driver's licenses to individuals without verifying the legal status of such individuals.

S. 2720

At the request of Mr. SPECTER, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 2720, a bill to withhold Federal financial assistance from each country that denies or unreasonably delays the acceptance of nationals of such country who have been ordered removed from the United States and to prohibit the issuance of visas to nationals of such country.

S. RES. 390

At the request of Mr. KOHL, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. Res. 390, a resolution designating March 11, 2008, as National Funeral Director and Mortician Recognition Day.

### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. AKAKA:

S. 2737. A bill to amend title 38, United States Code, to grant jurisdiction to the United States Court of Appeals for Veterans Claims to review compliance of the schedule of ratings for disabilities under section 1151 of that title with statutory requirements applicable to entitlement to disability compensation under chapter 11 of that title, and for other purposes; to the Committee on Veterans' Affairs.

Mr. AKAKA. Mr. President, today I introduce the proposed Veterans' Rating Schedule Review Act. This legislation would remove a barrier to legal redress faced by veterans who believe that a provision of the VA Schedule for Rating Disabilities—the Rating Schedule—does not comply with a law passed by Congress. The amount of compensation veterans with service-connected conditions receive is based on a disability rating, which VA assigns to these conditions. VA uses its rating schedule to determine which rating to assign to a veteran's particular condition. Under current law, the Court of Appeals for Veterans Claims has jurisdiction to consider only Constitutional challenges to the rating schedule. When legislation was passed providing for judicial review, review of the rating schedule was specifically prohibited as part of a final compromise.

This legislation would expand the jurisdiction of the court to include cases where a provision of the rating schedule or the absence of a rating for a condition mandated by statute is challenged. Under the proposed change, aspects of the VA rating schedule that appear to violate requirements of law set forth in chapter 11 of title 38, United States Code, would be subject to the court's jurisdiction.

I expect VA to comply with all laws passed by Congress in developing and revising the rating schedule. However, justice to our Nation's veterans requires a forum in which the rating

schedule can be challenged when someone believes that a statute passed by Congress to provide compensation for the service-disabled is being violated.

Veterans seeking to challenge the denial of benefits based on the rating schedule's lack of consistency with other laws are subject to rejection by the court due to the prohibition in current law. The United States Court of Appeals for the Federal Circuit held, in *Wanner v. Principi*, 370 F.3d 1124, 2004, that the language in current law "removes from the Veterans Court's jurisdiction all review involving the content of the rating schedules and the Secretary's actions in adopting or revising them."

One example of the kind of case that would be affected by the change to the law is VA's lack of action in response to legislation enacted in 2002 which allows veterans who qualify for compensation due to the loss of hearing in both ears to receive special "paired organ" benefits. In the years since that law was passed, many veterans serving in Iraq have suffered hearing loss after being exposed to Improvised Explosive Device blasts. However, VA has yet to issue regulations to amend the rating schedule, as required by the law. Under the current state of the law, no one could bring a legal challenge to that failure to act.

I note that the exception to the ban on review of the rating schedule proposed in this bill is a limited one. The bill would not allow for a wholesale assault on the rating schedule. It would merely provide judicial review of cases where compliance with a law passed by Congress is challenged.

I urge all of my colleagues to support this measure, so that veterans seeking justice may have an appropriate forum to challenge the VA's compliance with governing statutes.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2737

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans' Rating Schedule Review Act".

#### SEC. 2. REVIEW BY UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS OF COMPLIANCE OF SCHEDULE OF RATINGS FOR DISABILITIES WITH STATUTORY REQUIREMENTS APPLICABLE TO ENTITLEMENT TO DISABILITY COMPENSATION.

Section 7252(b) of title 38, United States Code, is amended—

- (1) by inserting "(1)" after "(b)";
- (2) by striking the third sentence; and
- (3) by adding at the end the following new paragraph:

"(2)(A) Except as provided in subparagraph (B), the Court may not review the schedule of ratings for disabilities adopted under section 1155 of this title or any action of the Secretary in adopting or revising that schedule.

"(B) The Court may review whether, and the extent to which, the schedule of ratings

for disabilities complies with applicable requirements of chapter 11 of this title."

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 477—SUPPORTING THE GOALS AND IDEALS OF DESIGNATING MARCH 2008 AS NATIONAL MULTIPLE SCLEROSIS EDUCATION AND AWARENESS MONTH

Mr. CASEY (for himself and Ms. SNOWE) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

H. RES. 477

Whereas multiple sclerosis can impact men and women of all ages;

Whereas multiple sclerosis affects men and women of all races and ethnicities;

Whereas approximately 400,000 Americans live with multiple sclerosis;

Whereas approximately 2,500,000 people worldwide have been diagnosed with multiple sclerosis;

Whereas approximately 200 people a week are diagnosed with multiple sclerosis;

Whereas over 400 cases of childhood multiple sclerosis have been identified in medical journals since 1980 and it is estimated that between 8,000 and 10,000 children and adolescents are affected;

Whereas the exact cause of multiple sclerosis is still unknown;

Whereas the symptoms of multiple sclerosis are unpredictable and vary from person to person;

Whereas there is no laboratory test available for multiple sclerosis;

Whereas multiple sclerosis is not genetic, contagious, or directly inherited, but studies show there are genetic factors that indicate certain individuals are susceptible to the disease;

Whereas multiple sclerosis symptoms occur when an immune system attack affects the myelin, destroying it and replacing it with scar tissue and severing nerve fibers interfering with the transmission of nerve signals;

Whereas in rare cases multiple sclerosis is so progressive it is fatal;

Whereas there is no known cure for multiple sclerosis; and

Whereas March 2008 is recognized as National Multiple Sclerosis Education and Awareness Month: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the goals and ideals of National Multiple Sclerosis Education and Awareness Month;

(2) invites the chief executive officers of the States, territories, and possessions of the United States to issue proclamations designating March 2008 as National Multiple Sclerosis Education and Awareness Month and recognizing the goals and ideals of National Multiple Sclerosis Education and Awareness Month;

(3) commends the efforts of the States, territories, and possessions of the United States, localities, non-profit organizations, businesses, and other entities and the people of the United States who support the goals and ideals of National Multiple Sclerosis Education and Awareness Month;

(4) recognizes and reaffirms our Nation's commitment to combating multiple sclerosis by promoting awareness about its causes and risks and by promoting new education programs, supporting research, and expanding access to medical treatment; and

(5) recognizes all Americans living with multiple sclerosis, expresses gratitude to their family members and friends who are a source of love and encouragement to them, and salutes the health care professionals and medical researchers who provide assistance to those so afflicted and continue to work to find cures and improve treatments.

Mr. President, I offer today, along with my colleague Senator SNOWE, this resolution supporting the goals and ideals National Multiple Sclerosis Education and Awareness Month. I am pleased to introduce this resolution which recognizes and reaffirms our commitment to combating multiple sclerosis by promoting awareness about its causes and risks and by promoting new education programs, supporting research and expanding access to medical treatment. It is also my hope that this resolution that Senator SNOWE and I offer today will help us to more consciously recognize all Americans living with multiple sclerosis. We are grateful to their family members and friends who are a source of love and encouragement to them and we salute the health care professionals and medical researchers who provide assistance to those with MS and who continue to work to find cures and improve treatments.

We know a lot about MS but unfortunately there is still a great deal we do not know. We know it can strike males and females of all ages, races and ethnicities. Today, approximately 400,000 Americans live with this disease and about 2.5 million people have been diagnosed worldwide. Every week, another 200 people are diagnosed and it is estimated that between 8,000 and 10,000 children and adolescents have MS.

The exact cause of multiple sclerosis is still unknown and its symptoms are unpredictable, varying from person to person. We have no laboratory test that will tell us if someone has multiple sclerosis. This disease is not genetic, contagious, or directly inherited, but studies show there are genetic factors that indicate certain individuals are susceptible to the disease.

Multiple sclerosis symptoms occur when an immune system attack affects the myelin, destroying it and replacing it with scar tissue and severing nerve fibers, thus interfering with the transmission of nerve signals. There is as yet no known cure for multiple sclerosis. MS can be an especially devastating disease as it is often diagnosed in young adults who are just setting out on their own, beginning their personal and professional lives. While MS is not a fatal disease, it is a noncurable, sometimes progressive disease that can affect every aspect of life.

Because MS is an unpredictable disease, it presents those suffering from it with many uncertainties about the future. For instance, one young constituent of mine suffering from MS confided that she felt limited in choosing a career, feeling that she needed to find an occupation that could accommodate any potential disabilities. In considering employment offers, she not